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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,294	02/16/2001	Yong Wang	12722-B	1507
7590	08/19/2004		EXAMINER	MEDINA SANABRIA, MARIBEL
Stephen R. May K1 - 53 Intellectual Property Services Battelle Memorial Institute, Pacific N.W Division P.O. Box 999 Richland, WA 99352			ART UNIT	PAPER NUMBER
1754				
DATE MAILED: 08/19/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/788,294	WANG ET AL.
	Examiner Maribel Medina	Art Unit 1754

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01 June 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 and 5-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1 and 9-33 is/are allowed.
- 6) Claim(s) 5-8 is/are rejected.
- 7) Claim(s) 5,6 and 23 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 16 February 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/9/01, 12/19/02</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements (IDS) submitted on 5/9/01 and 12/19/02 have been considered by the examiner. Reference K on the IDS of 12/19/02, has been lined through, because it was previously initialized on the IDS of 5/9/01 (See Reference H).

Election/Restrictions

2. Applicant's election with traverse of Group I, claims 1 and 5-33, in the reply filed on 6/1/04 is acknowledged. The traversal is on the ground(s) that "the inventions are all related as they all are methods of alcohol steam reforming and each method uses a catalyst that comprises Pd. The restriction is further improper since the examination of these 3 groups would not present any additional burden." This is found persuasive and the Restriction Requirement has been withdrawn.

Claim Objections

3. Claims 5, 6 and 23 are objected to because of the following informalities:

- In claims 5 and 6, 3rd line of each after "water", --vapor-- should be inserted. The term vapor will give proper antecedent basis to the term "water vapor" in the last line of the claims.
- Claim 23, depends from itself, "23" should be changed to --22--.
Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 5-8 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent no. 4,743,576 (Schneider et al).

Schneider et al disclose a methanol steam reforming method by reforming the methanol in the presence of a catalyst comprising a metal such as palladium, ruthenium and/or alloys thereof deposited on a carrier comprising cerium oxide in mixture with zirconium oxide or aluminum oxide (See col. 2, lines 13-65 and col. 3, lines 1-20). The palladium and ruthenium concentration ranges from 0.01-3 wt.% (See col. 2, lines 62-65). No difference is seen between the instantly claimed invention and Schneider et al disclosure.

Allowable Subject Matter

6. The following is an examiner's statement of reasons for allowance: Claims 1 and 9-33 area allowable upon consideration of the prior art. The prior art discloses steam reforming of methanol in the presence of palladium on zinc oxide catalyst, however the prior art fails to disclose or suggest that the catalyst has a pore volume and at least 20 % of the catalyst's pore volume is composed of pores in the size range of 0.1 to 300 microns as instantly claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maribel Medina whose telephone number is (571) 272-1355.

The examiner can normally be reached on Monday through Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley Silverman can be reached on (571) 272-1358. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Maribel Medina
Maribel Medina
Examiner
Art Unit 1754